

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2014-052381

05/15/2014

HONORABLE KRISTIN HOFFMAN

CLERK OF THE COURT
T. McMillian
Deputy

IN RE THE MATTER OF
CRAIG KELLER

FRANCES SUSAN MCGINNIS

AND

AMBER NICOLE CHAVEZ

ROBERT E SIESCO

AZ DEPARTMENT OF VITAL
RECORDS
CONCILIATION SERVICES-NE
FINANCIAL SERVICES-BILLING-CCC
TASC - PHOENIX

MINUTE ENTRY

Courtroom 106 - Northeast Regional Court Center

3:38 p.m. This is the time set for Resolution Management Conference. Petitioner/Father is present with above-named counsel. Respondent/Mother is present with above-named counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Craig Keller and Amber Chavez are sworn.

LET THE RECORD REFLECT that the parties have stipulated that Craig Keller is the father of Ethan Robert Keller, born August 15, 2006, and Father is on the child's birth certificate.

LET THE RECORD FURTHER REFLECT that the parties have agreed to share joint legal decision making for Ethan Robert Keller, (DOB: 8/15/06).

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2014-052381

05/15/2014

PARENTING CONFERENCE REFERRAL

IT IS ORDERED the parties shall participate in a Parenting Conference. The parties will be advised by separate minute entry of the name and telephone number of the Parenting Conference Provider and other relevant information regarding the Parenting Conference. The parties shall comply with all instructions and directives issued by the Provider.

Additional issues for the Parenting Conference provider are as follows:

Mother has no issues as to Father's fitness.

Father alleges that Mother does not get the child to school on a regular basis; that Mother's health concerns make it more difficult for her to effectively parent the child. Father further alleges that Mother is abusing prescription medication.

Parent Conferences (PCs) typically involve up to four (4) hours of direct professional services. Given the narrowed scope and level of assessment of the PC, the Provider limits the documents accepted for review and the amount of time available to family members to present their concerns. If a litigant or litigant's attorney seeks to submit any documents for consideration, the Provider may decide to consider only those documents the Provider believes relevant based on the limited scope of these conferences.

THE COURT FINDS that Mother and Father are unable to afford to pay the entire Parenting Conference Fee of \$300 per party today, but are eligible to make monthly payments pursuant to a payment plan.

IT IS THEREFORE ORDERED that Mother and Father shall pay their portion of the Parenting Conference Fee at a rate of \$50 per month to the Clerk of the Court beginning thirty (30) days from the date of this minute entry.

WARNING

IF YOU FAIL TO APPEAR AT THE PARENTING CONFERENCE AS ORDERED, YOU MAY BE REQUIRED TO PAY A \$100 NO SHOW FEE AND/OR PAY ANOTHER PARENTING CONFERENCE FEE AND/OR PAY THE FEES OF THE APPEARING PARTY. THE PARENTING CONFERENCE PROVIDER IS AUTHORIZED TO SCHEDULE THE CONFERENCE AND ACCOMMODATE REASONABLE SCHEDULING REQUESTS FROM THE PARTIES. IF YOUR SCHEDULING REQUEST IS NOT PERMITTED BY THE PROVIDER AND YOU CANNOT ATTEND, YOU MUST REQUEST AND BE GRANTED PERMISSION FROM THE JUDGE IN YOUR CASE TO RESCHEDULE THE

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2014-052381

05/15/2014

CONFERENCE AT LEAST THREE FULL COURT DAYS BEFORE THE CONFERENCE. IF AN AGREEMENT IS REACHED PRIOR TO YOUR APPOINTMENT DATE, YOU MUST SUBMIT A WRITTEN REQUEST TO THE JUDGE TO VACATE THE CONFERENCE AND WAIVE THE FEE AT LEAST THREE FULL COURT DAYS IN ADVANCE OF THE CONFERENCE IN ORDER TO AVOID FEE COLLECTION.

TASC REFERRAL

IT IS ORDERED that Mother shall undergo random drug testing on the following basis:

A. Agency. Mother's random drug testing shall be conducted at a location of TASC, Inc., the main office of which is at 2234 North 7th Street, Phoenix, Arizona, 602-254-7328. Other locations are listed on the TASC referral form and may be viewed at www.tascaz.org.

B. First Test. Mother shall report to TASC no later than **5:00 p.m. today** for her first test.

C. Scope. Mother shall undergo a full spectrum substance and drug test (Screen "A"), plus full opiate screen, for each test ordered herein.

D. Cooperation. Mother shall cooperate fully as reasonably required by the testing agency to comply with this Order, including:

1. Mother shall provide such samples as are reasonably required by the testing agency to comply with this order.

2. Mother shall timely report for testing and provide samples as directed by the testing agency.

3. Mother shall present photo identification to the testing agency at the time of each test.

4. Mother shall sign and deliver such forms of consent, authorization and release of test results as shall be reasonably required by the testing agency to comply with this Order.

E. Cost. Mother shall pay the cost of her testing (\$25.00 per test) by money order or cashier's check at the time of testing, subject to reallocation if negative.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2014-052381

05/15/2014

F. Frequency & Duration. Mother shall be randomly tested on a one-time basis until further Order of this Court.

G. Positive/Diluted/Missed Test. In the event that Mother tests positive on any test, misses a random test or provides a diluted test sample on any test, the cycle and frequency of testing set forth in paragraph F above shall be started again with weekly tests. All parties are advised that the failure, neglect or refusal to participate in testing, or providing a diluted test sample at the time of testing, may be considered an admission by the party that the testing, if properly conducted, would have revealed the use of the substance(s) tested for, which finding is contrary to the best interest of a child. Certain prescription medications may cause a positive drug test result. Parties who are required to drug test are expected to provide proof to the court of prescriptions and documentation from health care providers regarding the lawful possession and use of those medications.

H. Reporting. The parties are hereby advised that test results ARE NOT confidential and will be filed in the Court file upon receipt by the Court. The results of each test shall be reported directly to counsel for both parties, or directly to the parties at the addresses provided by the parties to the testing agency, if unrepresented by counsel. The testing agency shall also provide this Court with a Monthly Drug Test Summary Report.

TEMPORARY PARENTING TIME

- Mother shall exercise parenting time from Thursdays at 5:00 p.m. to Mondays at 5:00 p.m.
- Father shall exercise parenting time from Mondays at 5:00 p.m. to Thursdays at 5:00 p.m.

LET THE RECORD REFLECT that the parties have stipulated to temporary orders.

LET THE RECORD FURTHER REFLECT that Mother and Father agree that they will work together to solve any vacation issues without Court intervention, pending the Trial.

TRIAL SET

IT IS ORDERED setting Trial re: Father's Petition to Establish Paternity, Legal Decision Making Authority, Parenting Time, and Child Support, filed on April 17, 2014, to the Court on **August 27, 2014 at 9:00 a.m. (3 hours allowed)** in this Division at:

Maricopa County Superior Court
Northeast Regional Court Center

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2014-052381

05/15/2014

18380 N. 40th St
Courtroom 106
Phoenix, Arizona 85032

Failure of a party to appear may result in the Court allowing the party who does appear to proceed in the absence of the other party. Failure of both parties to appear may result in this action being dismissed.

IT IS ORDERED with regard to discovery and disclosure requirements:

1. Both parties shall complete all disclosure requirements required by Rules 49, 50 and 91, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents and exhibits at least 30 days prior to trial.
2. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure, shall be completed and any motions regarding discovery shall be filed at least 15 days prior to trial.
3. Counsel and both parties shall personally meet, face to face, at least ten (10) days prior to trial to conduct settlement discussions, prepare a Joint Pre-trial Statement, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.
4. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution, company, business, medical or health care provider or employer possessing any relevant information.

If a party is forced to incur attorney's fees or other costs to obtain documents or records by subpoena or other legal process after reasonable request of the other party to obtain such information in a more efficient or economical manner, the Court will consider a request for payment or reimbursement of such fees and costs at the time of trial.

IT IS ORDERED that the parties shall file and provide this Division with a copy of a Joint Pretrial Statement pursuant to Rule 76, Arizona Rules of Family Law Procedure, no later than 5 days prior to trial.

IT IS FURTHER ORDERED that the Joint Pretrial Statement shall include:

1. A current Affidavit of Financial Circumstances completed by each party.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2014-052381

05/15/2014

2. If there are disputed custody, access or visitation issues, a specific proposal for custody and parenting time.
3. If there are disputed child support issues, a current Parent's Worksheet for Child Support Amount completed by each party pursuant to the Statewide Child Support Guidelines.
4. If the parties have a natural or an adopted minor unemancipated child in common, proof of compliance with the Parental Education Program requirements of A.R.S. §25-351 et seq.
5. If there are disputed issues regarding division of property, a current and detailed Inventory of Property and Debts, together with a summary proposal by each party as to how the property and assets should be divided. If possible, the court prefers a one-page statement of all property except personal property items valued at less than \$500 each.
6. If spousal maintenance is requested and disputed, each party shall state the amount and duration of spousal maintenance requested.
7. If division of debts is an issue, the parties shall prepare and exchange a list of all debts, including creditor's name, amount of debt, monthly payment amount, the reason the debt was incurred, who should pay the debt, and all of the information required by A.R.S. §25-318(H).
8. If there is a disputed issue regarding the payment of attorney's fees by either party, an affidavit of the attorney's fees claimed submitted in accordance with the requirements of Rule 78(D), Arizona Rules of Family Law Procedure.

IT IS FURTHER ORDERED that the failure of counsel or any party to appear at the time of trial, or to timely present the Joint Pretrial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 76(D), Arizona Rules of Family Law Procedure, including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

IT IS FURTHER ORDERED that, if either party has exhibits to be marked, said exhibits shall be provided to the Clerk of this Division at least five (5) business days prior to trial. Duplicate exhibits shall not be presented. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2014-052381

05/15/2014

IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pretrial Statement which exhibits they have agreed will be admissible at trial as well as any specific objections that will be made to any exhibit if offered at trial which is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted. At the time of trial all exhibits that the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pretrial Statement shall be summarily admitted.

You may request conclusions of fact and law on the following issues, if they are contested: the issues of child custody, relocation requests, spousal maintenance, community property, community debt and child support. To request conclusions of fact and law, you must file a written request with the court before the trial or the evidentiary hearing. If you make a written request before the trial or evidentiary hearing, the court will make conclusions of fact and law as part of the final decision.

If any party asks the Court to make findings of fact and law on any issue, each party must file written proposed findings of fact on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the Pretrial Statement.

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, Arizona Rules of Family Law Procedure. Should the parties reach a full agreement prior to the date of the hearing, the Court will consider a motion to vacate the hearing **ONLY AFTER A SIGNED STIPULATED AGREEMENT IS PRESENTED TO THE COURT.**

Continuances, postponements and schedule changes will not ordinarily be granted. Any postponement or change will be granted only in accordance with appropriate rules, based on a showing of good cause, and requires the express written approval of the Court.

NOTE: All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division five (5) business days before the scheduled hearing.

ISSUED: Parenting Conference Instruction Sheet (2), TASC Substance Abuse Form

3:56 p.m. Matter concludes.

FILED: Acknowledgment and Notice of Parenting Conference (2)

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2014-052381

05/15/2014

All parties representing themselves must keep the Court updated with address changes.
A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.